



ఆంధ్రప్రదేశ్ రాజపత్రము
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**PART I - NOTIFICATIONS BY GOVERNMENT, HEADS OF DEPARTMENTS
AND OTHER OFFICERS**

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NOTIFICATIONS BY GOVERNMENT
CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,

4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.08/T/CTR/2015-Z-IV.

Date: 18-04-2023.

WAQFS - ANNAMAYYA DISTRICT (ERSTWHILE CHITTOOR DISTRICT) - ASHURKHANA
KNOWN AS KHADEEM PEER ASHURKHANA SITUATED AT PILER VILLAGE
AND MANDAL - Sri. S.MODEEN BASHA, S/o. LATE S.MOHAMMED GHOUSE
AND Sri. S.SHAKEERULLA, S/o. LATE ABDUL AZEEZ SHAIK APPOINTED
AS MUTAWALLIES U/SEC.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF
TWO (2) YEARS.

- Read :
1. Report of I .A Waqfs, Chittoor District vide Lr No.45/IAW/CTR/2014, dated: 05-01-2022 along with copy of joint representation of Sri.S.Modeen Basha, S/o. late S .Mohammed Ghouse, and Sri.S.Shakeerulla, S/o. Late Abdul Azeez Shaik, dated:26-08-2020.
 2. This office memo of even No. 22-04-2022 & 03-08-2022.
 3. Report of I.A.Waqfs, Annamayya District, vide Lr.No.45/IAW/CTR/2014 dated: 10-11-2022.
 4. This office paper notification of even No., dated: 22-12-2022.
 5. Report of I.A.Waqfs, Annamayya District, vide Lr.No.45/IAW/CTR/2014, dated: 01-02-2023 along original paper of publication in Andhra Jyothi paper dated: 02-01-2023.
 6. Board's Resolution No.733 of 2023, dated: 10-03-2023.
 7. Orders of the Competent Authority / Special Officer, APSWB, Dated: 29-03-2023.

ORDER:

The Waqf institution namely Ashurkhana known as Khadeem peer Ashurkhana situated at Piler Village and Mandal, Chittoor District is having attached landed property in TD.No.997 covered in Sy.No.106 to an extent of Ac.2.46 cts, Sy.No.177 to an extent of Ac.0.07 cts, of Piler Village, in TD No. 2042 covered in Sy.No.369 to an extent of Ac.0.34 cts, Sy.No.410 to an extent of Ac.0.16 cts of Bodumallavaripalli Village, in TD No.773 covered in Sy.No.2022 to an extent of Ac.14.84 cts, in Sy.No.1604 to an extent of Ac.0.22 cts of Doddipalli Village to an extent of Ac.18-10 cents are notified Waqf and got published in AP Gazette No.26, Part-II, Dated:28-06-1962 at Serial No.3011 in page Nos.826 & 827 under the Towliath of 1.Kolkar Madar Saheb, 2. Masalchi Dilgiri Saheb, 3.Kolkar Dilgiri Saheb, 4.Kolkar Madar Saheb, 5.Kolkar Khader Saheb and 6.Peddapeerla Gafoor Saheb. The Rule of succession to the office of the Mutawalli specified as Hereditary by Custom.

In the ref. 1st read above, the Inspector Auditor Waqfs, Chittoor District has submitted a report along with copy of joint representation of Sri.S.Modeen Basha, S/o. late S.Mohammed Ghouse & Sri.S.Shakeerulla, S/o. Late Abdul Azeez Shaik, the I.A Waqfs has reported that after demise of Sri Shaik Ahamed Basha the applicants are maintaining the affairs of the subject institution and requested to take further course of action in the matter

In the ref. 2nd read above, this office issued further direction to the I.A. Waqfs for submission full fledged detail report of the subject institution.

In response to the office memo the I.A. Waqfs, Annamayya District has submitted his report vide ref. 3rd read above, that the applicants Sri.S.Modeen Basha, S/o. late S.Mohammed Ghouse and Sri.S.Shakeerulla, S/o.Late Abdul Azeez Shaik are grandsons of Pedda peerla Gafoor Saheb who is one of the notified Mutawalli of the subject institution and they are maintain the institution which is in good condition and there was no income source of the institution. In Sy.No.106, 117, 410, 369, 2022 &160/4 of Piler, Bodumullavaripalli & Doddipalli admeasuring Ac.18-10 cts some of the extent of land under encroachment and the applicants are trying to recovery of Waqf Property.

As the further course of action, this office has issued paper notification for calling claims and objections if any for appointment of Sri. S.Modeen Basha, S/o. late S.Mohammed Ghouse and Sri.S.Shakeerulla, S/o.Late Abdul Azeez Shaik as Mutawalli U/sec.63 of Waqf Act, 1995 to the subject Waqf institution and its attached properties may file their claims and objection within a period of (15) days from the date of Publication of this Notification with documentary evidence vide ref. 4th read above.

The Inspector Auditor Waqfs, Annamayya District has submitted report vide ref.5th read above, that the above said paper notification was published in Andhra Jyothi Telugu daily District edition of Annamayya District on 02-01-2023 and there were no claims & objections received against the said notification

The above subject matter was placed before Board meeting and the Board has passed resolution No.733/2023, dated.10-03-2023 in the ref.6th read above, that to appoint Sri S Modeen Basha S/o. late S Mohammed Ghouse and Sri S Shakeerulla S/o. late Abdul Azeez Shaik as Mutawallies U/sec.63 of Waqf Act,1995 for Ashurkhana known as Khadeem Peer Ashurkhana situated at Piler Village and Mandal, Annamayya District for a period of two (2) years.

In the ref. 7th read above the matter was placed before the Competent Authority / Special Officer, APSWB who after examining the matter passed orders to implement the above Board resolution and issue proceedings accordingly.

Accordingly, Sri S Modeen Basha S/o. late S Mohammed Ghouse and Sri S Shakeerulla S/o. late Abdul Azeez Shaik appointed as Mutawallies U/sec.63 of Waqf Act,1995 for Ashurkhana known as Khadeem Peer Ashurkhana situated at Piler Village and Mandal, Annamayya District for a period of two (2) years for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec.61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer (FAC),
A.P. State Waqf Board, Vijayawada.

To

- 1.Sri S Modeen Basha S/o. late S Mohammed Ghouse,
 - 2.Sri S Shakeerulla S/o. late Abdul Azeez Shaik,
- Mutawallies of Ashurkhana known as Khadeem Peer Ashurkhana,
Piler Village and Mandal, Annamayya District.

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